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Michael Curtiss

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EXAMINER

PARDO, THUY N

ART UNIT

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2168

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/662,931	Applicant(s) CURTISS ET AL.	
	Examiner Thuy N. Pardo	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-12, 21, 22, 26-29, 31-34, 37, 38 and 41 is/are rejected.
- 7) ☒ Claim(s) 13-20, 23-25, 35, 36, 39, 40, 42, 43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's Amendment filed June 16, 2008 in response to Examiner's Office Action has been reviewed. Claims 1-3, 5-39 and 31-43 are pending in the application. Claims 1, 8, 9-11, 27-29 and 34 are independent claims. Claims 4 and 30 are canceled, and claims 35-43 are added. This Office Action is made Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-12, 21, 22, 26, 27-29, 31-34, 37, 38 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ford et al. (Hereinafter "Ford") US Patent application No. 2005/0289140 in view of Doganata et al. (Hereinafter "Doganata") US Patent Application Publication No. 2003/0220913.

As to claim 1, Ford teaches the invention substantially as claimed, comprising:
receiving a list of links [a list of URLs results, 167 of fig. 1, 4; 0053];
identifying, for at least one of the links, a source with which the link is associated
["abc.com", "def.com", etc., 167 of fig. 1; 0062]; and

ranking the list of links based at least in part on a quality of the identified sources [score, 170 of fig. 1; 0034].

ranking the link list of links based at least in part on a quality of the identified source [170 of fig. 1; 0061], the ranking including:

retrieving a source rank value for each identified source, the source rank value being based at least in part on one or more of a number of articles produced by the identified source during a first time period, an average length of an article produced by the identified source, an amount of important coverage that the identified source produces in a second time period, a breaking news score, an amount of network traffic to the identified source, a human opinion of the news source, circulation statistics of the identified source, a size of a staff associated with the identified source, a number of bureaus associated with the identified source, a number of original named entities in a group of articles associated with the identified source, a breadth of coverage by the identified source, a number of different countries from which network traffic to the identified source originates, and a writing style used by the identified source [weighting applied to each term of a multiple term query is inversely related to the term's frequency of appearance in the database, 0033]; and

However, Ford does not explicitly teach that the identified source is a new source. Doganata teaches that the identified source is a new source [information source, ab; ranked list of information sources, fig. 5-6; 0011; 0040-0047].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the features of Doganata to Ford's system as an essential means to allow users to search through a massive amount of information from different

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information sources, thereby, provide users with more meaningful search results from different information sources.

As to claim 8, it is an apparatus claim of claim 1, therefore, it is rejected under the same rationale.

As to claim 9, Ford and Doganata teach the invention substantially as claimed. Ford further teaches a memory and a processor [0026-0028; 140-147 of fig. 1].

As to claim 10, all limitations of this claim have been addressed in the analysis above, and this claim is rejected on that basis.

As to claim 11, Ford and Doganata teach the invention substantially as claimed, Ford further teaches determining one or more metric values for the news source based at least in part on at least one of a number of articles produced by the news source during a first time period, an average length of an article produced by the news source, an amount of important coverage that the news source produces in a second time period, a breaking news score, an amount of network traffic to the news source, a human opinion of the news source, circulation statistics of the news source, a size of a staff associated with the news source, a number of bureaus associated with the news source, a number of original named entities in a group of articles associated with the news source, a breadth of coverage by the news source, a number of different countries from which network traffic to the news source originates, and a writing style used by the news source [weighting

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applied to each term of a multiple term query is inversely related to the term's frequency of appearance in the database, 0033]; and

generating a quality value for the news source based at least in part on the determined one or more metric values [170 of fig. 1; 0061].

As to claims 27-29, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

As to claim 2, Ford and Doganata teach the invention substantially as claimed. Ford further teaches identifying the source based at least in part on a uniform resource locator (URL) associated with the link [167 of fig. 1; 0062].

As to claim 3, Ford and Doganata teach the invention substantially as claimed. Ford further teaches that at least some of the identified sources are news sources [410-430 of fig. 4].

As to claim 6, Ford and Doganata teach the invention substantially as claimed. Ford further teaches that the links include links to on-line news articles [0041; 0069; 0099; 380 of fig. 3; 0056].

As to claim 7, Ford and Doganata teach the invention substantially as claimed. Ford further teaches determining the list of links based at least in part on one or more of a

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search query, a topic, a list of one or more keywords, a geographical area, and a set of documents [0042].

As to claim 13, Ford and Doganata teach the invention substantially as claimed. Ford further teaches multiplying each metric value in the plurality of metric values by a factor to create a plurality of adjusted metric values, and adding the plurality of adjusted metric values to obtain the quality value [0060-0063; 0141-0143].

As to claim 14, Ford and Doganata teach the invention substantially as claimed. Ford further teaches that the plurality of metric values includes a predetermined number of highest metric values for the news source [top search results, 0048; 305 of fig. 3].

As to claim 17, Ford and Doganata teach the invention substantially as claimed. Ford further teaches adding the plurality of metric values for the news source to produce a total value, obtaining the quality value by dividing the total value by a quantity of metric values in the plurality of metric values [0157; 0162; 0164].

As to claim 18, Ford and Doganata teach the invention substantially as claimed. Ford further teaches that the plurality of metric values includes a predetermined number of highest metric values for the news source [0082; 0093].

As to claim 19, Ford and Doganata teach the invention substantially as claimed. Ford further teaches determining, for each metric value in the plurality of metric values, a

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percentile score relative to a highest value for that metric, adding the percentile scores to obtain the quality value [0034-0037].

As to claim 21, Ford and Doganata teach the invention substantially as claimed. Ford further teaches determining and generating for a plurality of other sources, at least one of the plurality of other sources including a different news source and storing the quality values for the news source and the plurality of other sources [0010; 0034; 167 of fig. 1].

As to claim 23, Ford and Doganata teach the invention substantially as claimed. Ford further teaches determining an importance metric value representing the amount of important coverage that the news source produces in a second time period, and wherein the determining an importance metric includes: determining, for each article produced by the news source during the second time period, a number of other non-duplicate articles on a same subject produced by other news sources to produce an importance value for the article, and adding the importance values to obtain the importance metric value [0073; 0161-0165].

As to claim 24, Ford and Doganata teach the invention substantially as claimed. Ford further teaches identifying, for at least one article produced by the news source, a first time value at which the at least one article was published by the news source, identifying a second time value that an initial article published on a same subject as the at least one article, subtracting the second time value from the first time value to determine

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a difference time value, comparing the difference time value to a threshold value, and assigning a value to the breaking news metric value based at least in part on the comparing [0081-0084; fig. 5].

As to claim 25, Ford and Doganata teach the invention substantially as claimed. Ford further teaches identifying a group of articles from other news sources that are on a same subject as the at least one article, multiplying the value by a quantity proportional to a size of the group of articles from the other news sources prior to assigning the value to the breaking news metric value [0150-0153].

As to claim 26, Ford and Doganata teach the invention substantially as claimed. Ford further teaches determining the one or more metric values, non-duplicate articles are weighted differently than duplicate articles [0153; 0160; fig. 9].

As to claim 34, Ford and Doganata teach the invention substantially as claimed. Doganata further teaches determining, based on the identified news source, whether a source rank exists for the at least one on-line news article [0020-0031; 0069]; and Ford further teaches adjusting a ranking of the at least one on-line news article if the source rank exists for the at least one on-line news article [0143].

As to claims 5, 12, 20, 22, 31-33, 37, 38 and 41, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

Allowable Subject Matter

3. Claims 13-20, 23-25, 35, 36, 39, 40, 42 and 43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 13, the limitation of multiplying each metric value in the plurality of metric values by a factor to create a plurality of adjusted metric values, and adding the plurality of adjusted metric values to obtain the quality value, taken together with other limitations of claims 11 and 12 were not disclosed by the prior art of record.

As to claim 15, the limitations of normalizing each metric value in the plurality of metric values, and adding the plurality of normalized metric values to obtain the quality value, taken together with other limitations of claims 11 and 12 were not disclosed by the prior art of record.

As to claim 17, the limitation of adding the plurality of metric values for the news source to produce a total value, obtaining the quality value by dividing the total value by a quantity of metric values in the plurality of metric values, taken together with other limitations of claims 11 and 12 were not disclosed by the prior art of record.

As to claim 23, the limitation of determining an importance metric value representing the amount of coverage that the news source produces in a second time period, and wherein the determining an importance metric includes determining, for each article produced by the news source during the second time period, a number of

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other non-duplicate articles on a same subject produced by other news sources to produce an importance value for the article, and adding the importance values to obtain the importance metric value, taken together with other limitations of claim 11 were not disclosed by the prior art of record.

As to claim 24, the limitation of determining a breaking news metric value representing the breaking news score, and wherein the determining a breaking news metric value includes identifying, for at least one article produced by the news source, a first time value at which the at least one article was published by the news source, identifying a second time value that an initial article published on a same subject as the at least one article, subtracting the second time value from the first time value to determine a difference time value, comparing the difference time value to a threshold value, and assigning a value to the breaking news metric value based at least in part on the comparing, taken together with other limitations of claim 11 were not disclosed by the prior art of record.

As to claim 35, the limitation of adding a plurality of metric values for the at least one on-line news article to produce a total value, and obtaining the source rank by dividing the total value by a quantity of metric values in the plurality of metric values, taken together with other limitations of claim 34 were not disclosed by the prior art of record.

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As to claim 36, the limitation of determining, for each metric value in a plurality of metric values for the at least one on-line news article, a percentile score relative to a highest value for that metric, and adding the percentile scores to obtain the source rank, taken together with other limitations of claim 34 were not disclosed by the prior art of record.

As to claim 39, the limitation of determine a plurality of metric values for the news source, multiply each metric value in the plurality of metric values by a factor to create a plurality of adjusted metric values, and add the plurality of adjusted metric values to obtain the quality value, taken together with other limitations of claim 27 were not disclosed by the prior art of record.

As to claim 40, the limitation of determine a plurality of metric values for the news source, normalize each metric value in the plurality of metric values, and add the plurality of normalized metric values to obtain the quality value, taken together with other limitations of claim 27 were not disclosed by the prior art of record.

As to claim 42, the limitation of multiplying each metric value in the plurality of metric values by a factor to create a plurality of adjusted metric values, and adding the plurality of adjusted metric values to obtain the quality value, taken together with other limitations of claims 28 and 41 were not disclosed by the prior art of record.

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As to claim 43, the limitation of normalizing each metric value in the plurality of metric values, adding the plurality of normalized metric values to obtain the quality value, taken together with other limitations of claims 28 and 41 were not disclosed by the prior art of record.

Claims 14 16, 18, 20 and 25 being further limiting to claims 13, 15, 17, 19 and 24 are also objected to.

Response to Arguments

4. Applicant's arguments filed on June 16, 2008 have been fully considered but they are not persuasive.

Applicant argues that neither Ford nor Doganata teaches retrieving a source rank value for each identified source, the source rank value being based at least in part on one or more of a number of articles produced by the identified source during a first time period, an average length of an article produced by the identified source, an amount of important coverage that the identified source produces in a second time period, a breaking news score, an amount of network traffic to the identified source, a human opinion of the news source, circulation statistics of the identified source, a size of a staff associated with the identified source, a number of bureaus associated with the identified source, a number of original named entities in a group of articles associated with the identified source, a breadth of coverage by the identified source, a number of different countries from which network traffic to the identified source originates, and a writing style used by the identified source.

Examiner respectfully disagrees. Examiner believes that both Ford and Doganata references teach these features. Ford teaches top search results for “Mark Twain” from different sources based on the popularity levels of items that satisfy the query [see the abstract of Ford; 147 of fig. 1; fig. 3-4]. Doganata enhances Ford’s system by providing automatically selecting information sources based on ranked lists of information sources [see the abstract of Doganata; fig. 5, 6; 0061-0063]. Furthermore, when Applicant’s claimed invention claimed that “the source rank value being based at least on part on one or more of ...etc”, (emphasis is added), that means at least only one of those limitations (i.e., network traffic to the identified source) is required to meet that limitation. In this case, Ford teaches the popularity levels (i.e., numbers of retrieving articles in a period of time or network traffic to the identified source) [see the abstract], and weighting applied to each term of a multiple term query is inversely related to the term’s frequency of appearance in the database, [0033]. Furthermore, Doganata also teaches ranking information sources based on source score [fig. 5; 0068-0069].

Applicant argues that neither Ford nor Doganata teaches the links that include links to on-line news articles.

As to this point, Examiner respectfully disagrees. Examiner believes that Ford teaches this feature. Ford teaches a hypertext link to additional web pages containing, among other things, product information about the item [0041; 0069; 0099].

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy N. Pardo whose telephone number is 571-272-4082. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thuy N Pardo/
Primary Examiner, Art Unit 2168